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10 Attorneys for Plaintiffs

7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**

10 MARLO CUSTODIO, et al.,) Case No. C09-00527 RMW PSG
11 Plaintiffs,)
12 v.) STIPULATION AND [] ORDER
13) PURSUANT TO LOCAL RULE 6-2
14 THE COUNTY OF SANTA CLARA,) SHORTENING TIME ON GROSS BELSKY
15 CALIFORNIA, et al.,) ALONSO LLP'S MOTION TO WITHDRAW
16 Defendants.) AS COUNSEL FOR PLAINTIFFS
17 _____)
18 WHEREAS Gross Belsky Alonso LLP ("GBA") has moved to withdraw as counsel for
19 plaintiffs Marlo Custodio, Romel Custodio, Marilou Custodio and Oscar Custodio, Jr. (collectively,
20 "Plaintiffs") pursuant to Local Rule 11-5(a);
21 WHEREAS the parties seek to shorten time on GBA's withdrawal motion because the
22 schedules of GBA attorneys would prevent them from attending a hearing on this motion later in May
23 and the parties seek to resolve GBA's withdrawal speedily;
24 WHEREAS GBA has notified Plaintiffs in writing of GBA's intended withdrawal;
25 WHEREAS the only previous time modifications in this case are the Court's enlargement of
26 the times set in the February 5, 2009 Order Setting Initial Case Management Conference and ADR
27 Deadlines for the parties to meet and confer regarding initial disclosures, early settlement, ADR
28 process selection, and discovery plan; to file ADR certification; and to file either Stipulation to ADR

1 process or Notice of Need for ADR Phone Conference (D.E. 9); the Court's two extensions of the
2 parties' deadline for Early Neutral Evaluation (D.E. 36 and 41); and the Court's stay of trial on the
3 claims against the City of San Jose and the San Jose Police Officer Defendants until the completion
4 of Romel and Marlo Custodio's criminal appeals (D.E. 38);

5 WHEREAS Defendants City of San Jose, Chief Robert Davis, Sergeant Evans, Officer Epp,
6 Officer Morasci, Officer Tran, Officer Unger, Officer DeMarie, Officer Jeffrey, Officer Crawley,
7 Officer Purnell, Officer Cahill, and Officer Barry (collectively, "Defendants") do not oppose GBA's
8 withdrawal motion and the proposed shortening of time would therefore have no effect on the briefing
9 schedule for GBA's withdrawal motion; and

10 WHEREAS shortening the time for a hearing on GBA's withdrawal motion causes no
11 prejudice to GBA, Plaintiffs, or Defendants;

12 IT IS HEREBY STIPULATED AND AGREED by GBA and Defendants that the time on
13 GBA's withdrawal motion shall be shortened such that the hearing date for the motion shall be Friday,
14 May 6, 2011, at 9:00 a.m., or as soon thereafter as the motion may be heard.

15 Dated: April 13, 2011

16 GROSS BELSKY ALONSO LLP

17 By: /s/ Monique Alonso
18 Monique Alonso

19 **Attorneys for Plaintiffs**

20 Office of the City Attorney, City of San Jose

22 By: /s/ Michael J. Dodson
23 Michael J. Dodson

24 **Attorney for Defendants**

SIGNATURE ATTESTATION

2 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
3 “conformed” signature (/s/) within this efiled document.

Dated: April 13, 2011

/s/ Monique Alonso

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1 IT IS SO ORDERED.
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3 Dated: April 15 2011



Judge Ronald M. Whyte

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